

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,)
Plaintiff,) 8:06CR389
vs.) ORDER
FRANCISCO CRUZ-GUZMAN,)
Defendant.)

This matter is before the court on defendant's unopposed MOTION TO EXPAND TIME [43] TO FILE PRE-TRIAL MOTIONS. For good cause shown, I find that the motion should be granted. The defendant will be given an approximate 7-day extension. Pretrial Motions shall be filed by February 6, 2007.

IT IS ORDERED:

1. Defendant's MOTION TO EXPAND TIME [43] is granted. Pretrial motions shall be filed on or before **February 6, 2007**.
2. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., **the time between January 30, 2007 and February 6, 2007**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel required additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 31st day of January, 2007.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**